

firms of Grant & Eisenhofer, P.A. (“G&E”) of Washington, D.C.; Cohen Milstein Sellers & Toll PLLC (“CMST”) of Washington, D.C.; and James & Hoffman, P.C. of Washington, D.C.

4. Since Relators retained BJMG in 2011, I have been closely involved in every aspect of this case. Therefore, my personal knowledge informs the following analysis of the legal work performed by BJMG on behalf of Relators in this litigation.

5. As Counsel for the Relators, the lawyers and professional staff of BJMG have been involved in the representation of Relators in nearly every aspect of this case, including (a) preparing the filing of the initial complaint; (b) preparing for and participating in the government’s interviews of the Relators; (c) participating in regularly held meetings led by the government to assign work during the investigation of this case; (d) participating in the document review supervised by government attorneys; (e) preparing memoranda for the government attorneys for depositions they took during their investigation; (f) advising the government’s attorneys as they used the Service Employees International Union’s statistical analysis as a guide to crafting a national audit on CHS’s hospital admissions; (g) working with the government’s attorneys as they negotiated a settlement with CHS; (h) participating in mediation and negotiation with the government and other Relators in resolving how the government’s share would be allocated among Relators; and (i) participating in final negotiation of the settlement agreement of this litigation. BJMG’s lawyers also spent considerable time advising Relators throughout this entire process.

6. Exhibit A to this Declaration is a complete copy of BJMG’s billing records for this litigation, which has been reduced to exclude fees, costs, and expenses relating to settlement negotiations and the petitioning of attorney’s fees, costs, and expenses. There are no time entries by BJMG after May 2, 2014. The exclusion of these fees, costs, and expenses represents a

significant savings to Defendants who benefitted from the resolution of very substantial claims arising from violations of Medicare regulations and the False Claims Act. The billing rates reflected in the billing summaries for BJMG are the current, customary rates charged by the firm for the individual attorneys and staff included therein. These are rates that have been used to bill clients of the firm who the firm charges by the hour for its services. By this declaration, I attest to the accuracy and completeness of such records.

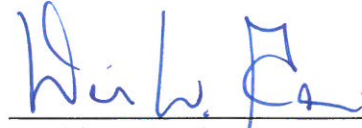
7. Exhibit B to this declaration is BJMG's law firm resume, which contains biographical information for BJMG, including George E. Barrett, David W. Garrison, and other attorneys at the firm.

8. I have personally supervised the work done by BJMG attorneys and professional staff in this case. In assigning attorneys and professional staff to work on this case, I have taken into account the specific needs of the case and the skills and talents of attorneys and staff available to work on it, and I have staffed this case leanly with only that complement of lawyers and professional staff reasonably necessary to serve the needs of the plaintiffs.

9. Based on my knowledge and experience, I am confident that the hourly rates charged by the BJMG in representing the Relators in this litigation are reasonable and fall squarely within the range of market rates charged in Nashville, Tennessee by attorneys and professional staff with similar experience. In further support of this fact, Relators are contemporaneously filing the declarations of Nashville attorneys Frank W. Hunger, W. Michael Hamilton, and Michael L. Russell, each of whom declare that the above-listed rates are both reasonable and within prevailing market rates in the Nashville legal market.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 29th day of September, 2014.



David W. Garrison

Exhibit A

Barrett Johnston Martin & Garrison, LLC

Bank of America Plaza
414 Union Street, Suite 900
Nashville, TN 37219

Invoice submitted to:
Community Health Systems

September 29, 2014

Invoice #10212

Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
4/6/2011	DG	Meet with R. Guttman to discuss case; meet with USAO	3.80 400.00/hr	1,520.00
4/7/2011	DG	Meet with R. Guttman to discuss potential case	2.50 400.00/hr	1,000.00
	GB	Meet with R. Guttman to discuss potential case	2.50 550.00/hr	1,375.00
4/25/2011	DG	Phone call with R. Guttman; phone call with U.S. Atty; conf call with co-counsel; review documents provided by co-counsel	2.70 400.00/hr	1,080.00
	GB	Conference call with co-counsel; review pleadings	1.70 550.00/hr	935.00
5/3/2011	DG	Review Complaint and Disclosure statement	1.75 400.00/hr	700.00
5/4/2011	DG	Review Complaint and disclosure statement	2.90 400.00/hr	1,160.00
5/5/2011	GB	Conference call with Ruben Guttman; work on representation letter; confer with DWG; review Draft complaint and disclosure documents	2.00 550.00/hr	1,100.00
	DG	Conference with R. Guttman re: potential complaint	2.00 400.00/hr	800.00
5/6/2011	GB	Work on representation letter; calls to/from David Dean; call US Atty office	1.00 550.00/hr	550.00
	DG	Conference with U.S. Attorney's office re: case	1.00 400.00/hr	400.00

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			<u>Hrs/Rate</u>	<u>Amount</u>
5/9/2011	GB	Prep of Disclosure Statement; file same with USA MDT office; several conference calls on complaint, hoping to file; Emails on edits on complaint; meet with Asst. USA to deliver disclosure statement	4.00 550.00/hr	2,200.00
	DG	Work on Complaint; correspond with co-counsel	3.50 400.00/hr	1,400.00
	DG	Meet with AUSA re: disclosure statement	0.70 400.00/hr	280.00
5/10/2011	GB	Work on getting filed in District Court; file such with District Court; meet with AUSA deliver Complaint; filed with AUSA	2.00 550.00/hr	1,100.00
	DG	File Complaint; serve Complaint on U.S. Attorney's office; circulate to co-counsel	2.30 400.00/hr	920.00
5/11/2011	GB	Follow up to filing case; correspondence from clerk's office; meet with DWG as to Pro Hac Motions	1.20 550.00/hr	660.00
	DG	Draft pro hac motions; meet with GEB	1.80 400.00/hr	720.00
5/12/2011	DG	Correspondence with co-counsel	0.30 400.00/hr	120.00
	AML	Call to Clerk re pro hacs and sealed case, edits	1.60 150.00/hr	240.00
5/13/2011	GB	Conference call with two relator's and attorneys	2.00 550.00/hr	1,100.00
	AML	File pro hacs	1.70 150.00/hr	255.00
	DG	Review order; correspond with co-counsel; conference calls with relators	2.70 400.00/hr	1,080.00
5/17/2011	DG	Calls with R. Guttman	0.50 400.00/hr	200.00
5/19/2011	SPT	Conference with J. Thomas; conference with R. Guttman	0.60 300.00/hr	180.00
	GB	Conference call on status of case and fees; calls to USA on scheduling conference	1.00 550.00/hr	550.00
	DG	Conference with JD Thomas; call with R. Guttman	0.60 400.00/hr	240.00
5/26/2011	SPT	Conference with J.D. Thomas	0.40 300.00/hr	120.00

			<u>Hrs/Rate</u>	<u>Amount</u>
5/26/2011	GB	Conference call with Asst. AUSA	0.40 550.00/hr	220.00
	DG	Correspondence with co-counsel [REDACTED] [REDACTED]	1.70 400.00/hr	680.00
	DG	Conference with JD Thomas	0.40 400.00/hr	160.00
5/27/2011	DG	Correspondence with co counsel	0.40 400.00/hr	160.00
5/30/2011	DG	Correspondence with co counsel	0.30 400.00/hr	120.00
5/31/2011	DG	Conference call with co counsel; calls with R. Guttman and David Dean; meet with GEB	1.80 400.00/hr	720.00
	GB	Conference call with all Plf attorneys [REDACTED] [REDACTED]	2.00 550.00/hr	1,100.00
6/1/2011	AML	Draft pro hacs and file	1.30 150.00/hr	195.00
6/2/2011	GB	Calls to AUSA; [REDACTED]	1.00 550.00/hr	550.00
	DG	Calls with JD Thomoas re: status	1.00 400.00/hr	400.00
6/7/2011	AML	Draft pro hacs, file and serve	1.40 150.00/hr	210.00
	SPT	Conference with J.D. Thomas [REDACTED] email co counsel concerning same; review pro hac vice motion for D. Young	0.40 300.00/hr	120.00
	DG	Conference with JD Thomas [REDACTED]	0.20 400.00/hr	80.00
6/10/2011	SPT	Calls to J. D. Thomas concerning [REDACTED] email team concerning same	0.10 300.00/hr	30.00
	DG	Calls to JD Thomas [REDACTED]	0.10 400.00/hr	40.00
6/13/2011	SPT	Conference with J.D. Thomas; conference concerning [REDACTED]	0.30 300.00/hr	90.00
	DG	Call with JD Thomas; call re: [REDACTED]	0.30 400.00/hr	120.00

			<u>Hrs/Rate</u>	<u>Amount</u>
6/17/2011	DG	Work on setting up call with [REDACTED] and J.D. Thomas	0.40 400.00/hr	160.00
6/20/2011	GB	Conference call with Attorneys	1.00 550.00/hr	550.00
	DG	Conference with [REDACTED] and J.D. Thomas	2.40 400.00/hr	960.00
6/23/2011	DG	Conference call with co counsel; review letter to J.D. Thomas	1.90 400.00/hr	760.00
	GB	Conference with co-counsel	0.80 550.00/hr	440.00
6/24/2011	GB	Review letter from DOJ; confer with DWG; confer call with attorneys	1.00 550.00/hr	550.00
	DG	Phone call with J. D. Thomas and R. McCauliffe; correspondence with co counsel; conference with D. Dean; conference with R. Guttman	2.80 400.00/hr	1,120.00
6/27/2011	AML	Draft pro hac motion for D. Chen, file	1.20 150.00/hr	180.00
	DG	Conference call with co-counsel	0.40 400.00/hr	160.00
	GB	Conference call with co-counsel	0.40 550.00/hr	220.00
6/28/2011	SPT	Draft motion to continue ICMO; email to co counsel and J. Thomas	0.80 300.00/hr	240.00
	DG	Review motion to continue	0.10 400.00/hr	40.00
6/29/2011	AML	File Motion for Extension	0.10 150.00/hr	15.00
6/30/2011	DG	Correspondence with R. Guttman	0.20 400.00/hr	80.00
7/1/2011	DG	Conference call with J.D. Thomas [REDACTED]	0.10 400.00/hr	40.00
7/6/2011	GB	Prep witness for interview with US Attorney Office	2.70 550.00/hr	1,485.00
	DG	Meet with Sheree Cook; conference with D. Dean, Emilie Kraft, and R. Guttman; meet with GEB; conference with D. Dean and R. Guttman	4.70 400.00/hr	1,880.00

			<u>Hrs/Rate</u>	<u>Amount</u>
7/7/2011	GB	Work with DWG getting Relators lined up for interviews; begin review of other Complaints	2.00 550.00/hr	1,100.00
	DG	Conference call with R. Guttman and D. Dean; phone calls with J.D. Thomas	2.70 400.00/hr	1,080.00
	AML	Update binder for GEB	0.50 150.00/hr	75.00
7/8/2011	GB	Calls with attorneys in other cases; conference with DOJ lawyers	2.00 550.00/hr	1,100.00
	DG	Conference call with J. D. Thomas and R. Guttman; calls with D. Dean; prep for relators meeting	2.70 400.00/hr	1,080.00
7/11/2011	GB	Calls to/from D. Dean; meet with DWG	1.00 550.00/hr	550.00
	AML	Create binder for GEB	0.30 150.00/hr	45.00
	GB	Meet with D. Dean and Dr. Doghramj [REDACTED]	1.50 550.00/hr	825.00
	DG	Meet with GB re: relator's meeting.	0.40 400.00/hr	160.00
	DG	Meet with D. Dean and Dr. Doghrenji [REDACTED]	1.50 400.00/hr	600.00
	DG	Call w/ D. Dean, R. Guttman, and JD Thomas.	0.60 400.00/hr	240.00
7/12/2011	GB	Prep for interviews with DOJ; meet with DWG as to interviews at DOJ; dinner	2.00 550.00/hr	1,100.00
	DG	Prep for Relator Interviews.	2.60 400.00/hr	1,040.00
	DG	Interview w/ Relator at USAO.	7.20 400.00/hr	2,880.00
7/13/2011	GB	Meet with Relators at US Atty Office	8.00 550.00/hr	4,400.00
	DG	Phone call with J.D. Thomas; set up call with other relators' counsel; work on Motion Pro Hac	0.40 400.00/hr	160.00
7/14/2011	DG	Phone call with J.D. Thomas; meet with D. Dean and GEB; conference call with other Relator's counsel; phone call with S. Cook; meet with R. Bryant	6.80 400.00/hr	2,720.00

			<u>Hrs/Rate</u>	<u>Amount</u>
7/14/2011	GB	Calls to DOJ; meet with D. Dean and DWG; call other attorneys	2.00 550.00/hr	1,100.00
	AML	Edit to pro hac motion	0.50 150.00/hr	75.00
7/15/2011	GB	Meet with DWG re witnesses today; confer with SPT; discuss same with J.D. Thomas	1.00 550.00/hr	550.00
	SPT	Attend relators' meeting at US Attorney's Office	6.70 300.00/hr	2,010.00
	DG	Interview w/ Relator at USAO	6.70 400.00/hr	2,680.00
7/21/2011	GB	Conference call with US Attorney and investigators and Relator's Counsel.	0.90 550.00/hr	495.00
	DG	Conference call with US Attorney's Office, agent [REDACTED]	0.90 400.00/hr	360.00
7/26/2011	GB	Review documents and emails on Common Interests document; confer with DWG	1.30 550.00/hr	715.00
	DG	Confer w/ GB; Review correspondence on Common Interest.	1.30 400.00/hr	520.00
8/8/2011	GB	Review joint agreement with Government; meet with DWG on same	1.50 550.00/hr	825.00
	DG	Correspondence with co counsel [REDACTED] phone calls with JD Thomas	1.10 400.00/hr	440.00
8/9/2011	DG	Phone call with JD Thomas; correspond with co counsel	0.70 400.00/hr	280.00
8/10/2011	DG	Phone call with JD Thomas; correspondence with co counsel [REDACTED]	1.20 400.00/hr	480.00
8/15/2011	DG	Work on scheduling meeting with other relator's counsel	0.30 400.00/hr	120.00
8/18/2011	GB	Conference with DWG; conference call; follow up on call	1.00 550.00/hr	550.00
	DG	Conference call with co-counsel; conference w/ GB.	1.00 400.00/hr	400.00
	GB	Meet with TB re: case	1.00 550.00/hr	550.00

			<u>Hrs/Rate</u>	<u>Amount</u>
8/18/2011	DG	Meet with TB Re: case	1.00 400.00/hr	400.00
8/24/2011	GB	Conference call with attorneys and DOJ Lawyers.	1.50 550.00/hr	825.00
	DG	Conference call w/ DOJ and other relator's counsel.	1.50 400.00/hr	600.00
8/30/2011	GB	Arrange conference call; participate in same with all counsel of Relator	1.00 550.00/hr	550.00
	DG	Call w/ Relator's counsel.	1.00 400.00/hr	400.00
9/6/2011	GB	Conference call with all attorneys on status of case	1.50 550.00/hr	825.00
	DG	Conference call w/ Relator's counsel.	1.50 400.00/hr	600.00
9/16/2011	AML	Input info. for forms for DWG and SPT, gather other atty forms for DWG	1.40 150.00/hr	210.00
9/20/2011	GB	Prep and follow up to phone conference with DOJ and other Relators attorneys	1.50 550.00/hr	825.00
	SPT	Conference call with relators' counsel and DOJ.	1.50 300.00/hr	450.00
	DG	Conference call w/ Relators' counsel and DOJ.	1.50 400.00/hr	600.00
9/21/2011	SPT	Conference with J.D. Thomas	0.60 300.00/hr	180.00
	GB	Conference call with US Attorney [REDACTED] confer with DWG and SPT	0.60 550.00/hr	330.00
	AML	Work on form for GEB doc review	0.30 150.00/hr	45.00
	DG	Conference with JD Thomas [REDACTED]	0.60 400.00/hr	240.00
9/22/2011	GB	Work with DWG on document review and conference call	0.60 550.00/hr	330.00
	DG	Confer w/ GB re: document review.	0.60 400.00/hr	240.00

			<u>Hrs/Rate</u>	<u>Amount</u>
9/23/2011	GB	Prep and conference call with AUSA and other counsel	1.00 550.00/hr	550.00
	DG	Conference call w/ DOJ and other Relators' counsel.	0.70 400.00/hr	280.00
9/27/2011	DG	Conference call w iConnect training vendors	1.00 400.00/hr	400.00
9/28/2011	SPT	Conference with J.D. Thomas	0.10 300.00/hr	30.00
	DG	Calls with J. D. Thomas and Traci Buschner [REDACTED] work correspondence with co-counsel [REDACTED] on coordinating conference call with J. D. Thomas [REDACTED]	3.50 400.00/hr	1,400.00
9/30/2011	GB	Conference call with Relators attorneys and DOJ	2.00 550.00/hr	1,100.00
	DG	Conference call w/ Relators' counsel and DOJ.	2.00 400.00/hr	800.00
10/4/2011	DG	Confer w/ co-counsel and government lawyer	0.90 400.00/hr	360.00
10/6/2011	SPT	Conference with R. Guttman, D.Dean and T. Buschner	0.80 300.00/hr	240.00
	DG	Conference call w/ R. Guttman, Dean, and Buschner.	0.80 400.00/hr	320.00
10/7/2011	DG	Conference with co-counsel	1.00 400.00/hr	400.00
10/12/2011	GB	Conference call with co-counsel	0.70 550.00/hr	385.00
	SPT	Conference with co-counsel	0.70 300.00/hr	210.00
	DG	Conference call w/ co-counsel.	0.70 400.00/hr	280.00
10/17/2011	GB	Calls to JT Thomas; call from David Dean [REDACTED] meet with DWG [REDACTED]	1.20 550.00/hr	660.00
	DG	Calls w/ JD Thomas; calls w/ D. Dean; meet w/ GB.	1.20 400.00/hr	480.00
10/18/2011	GB	Conference call on [REDACTED] meet with DWG	1.10 550.00/hr	605.00

			<u>Hrs/Rate</u>	<u>Amount</u>
10/18/2011	SPT	Review U.S. motion to partially lift seal; review email correspondence concerning same	0.40 300.00/hr	120.00
	DG	Meet with GB; call on DOJ proposal [REDACTED]	1.10 400.00/hr	440.00
11/3/2011	DG	Correspondence re: document review w/ co-counsel	0.70 400.00/hr	280.00
11/9/2011	DG	Correspondence re: proposed DRG/MS-DRG chart national audit; confer with co-counsel	2.70 400.00/hr	1,080.00
11/10/2011	GB	Conference call with [REDACTED] and AUSA	0.80 550.00/hr	440.00
	DG	Conference call w/ [REDACTED] and JD Thomas.	0.80 400.00/hr	320.00
	DG	Work on proposal [REDACTED]	3.40 400.00/hr	1,360.00
11/11/2011	DG	Correspondence [REDACTED]	0.10 400.00/hr	40.00
11/17/2011	DG	Correspondence [REDACTED]	0.30 400.00/hr	120.00
11/21/2011	DG	Correspondence [REDACTED]	0.40 400.00/hr	160.00
11/22/2011	GB	Conference call after meeting [REDACTED] with DWG	1.00 550.00/hr	550.00
	DG	Correspondence [REDACTED]	1.30 400.00/hr	520.00
	DG	Meet with GB [REDACTED]	0.20 400.00/hr	80.00
	DG	Phone call with JD Thomas [REDACTED]	1.30 400.00/hr	520.00
11/23/2011	DG	Conference call with co-counsel [REDACTED]	1.10 400.00/hr	440.00
	DG	Review spreadsheet from JD Thomas re: CBSA%	2.10 400.00/hr	840.00
11/25/2011	GB	Conference call with US Attorney Office; relators counsel and we as local counsel; conference call with US attorney and [REDACTED] and DWG	2.00 550.00/hr	1,100.00

			<u>Hrs/Rate</u>	<u>Amount</u>
11/25/2011	DG	Conference with DOJ and Relators' counsel.	2.00 400.00/hr	800.00
	DG	Analyze spreadsheet comments from Dr. Poplin	0.60 400.00/hr	240.00
11/28/2011	DG	Correspondence and phone calls with J.D. Thomas [REDACTED]	0.80 400.00/hr	320.00
12/5/2011	DG	Correspond with T. Buschner [REDACTED]	0.10 400.00/hr	40.00
12/9/2011	DG	Conference call with co-counsel [REDACTED]	1.60 400.00/hr	640.00
1/18/2012	GB	Prep and conference call with all counsel	1.30 550.00/hr	715.00
	DG	Conference call with co-counsel and DOJ	1.30 400.00/hr	520.00
	DG	Phone call with JD Thomas [REDACTED]	0.10 400.00/hr	40.00
	DG	Phone call with D. Dean [REDACTED]	0.20 400.00/hr	80.00
1/20/2012	GB	Receive order; distribute same to counsel	0.10 550.00/hr	55.00
1/23/2012	DG	E-mail [REDACTED]	0.20 400.00/hr	80.00
1/24/2012	DG	Correspondence with co-counsel	1.30 400.00/hr	520.00
1/25/2012	DG	Conference call with co-counsel; call to J.D. Thomas; meet with J.D. Thomas	1.80 400.00/hr	720.00
	SPT	Conference with DWG	0.20 300.00/hr	60.00
	DG	Confer w/ SPT [REDACTED]	0.20 400.00/hr	80.00
1/27/2012	GB	E-mail on pending meeting with USA; review documents	1.00 550.00/hr	550.00
	DG	Correspondence [REDACTED]	1.70 400.00/hr	680.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/27/2012	DG	Conference with JD Thomas [REDACTED]	1.40 400.00/hr	560.00
1/30/2012	DG	Conference with J.D. Thomas [REDACTED] [REDACTED]	0.80 400.00/hr	320.00
1/31/2012	GB	E-mail [REDACTED] meet with DWG on same	1.00 550.00/hr	550.00
	DG	Meet with GB [REDACTED]	0.60 400.00/hr	240.00
	DG	Correspond with co-counsel re: arranging [REDACTED]	0.60 400.00/hr	240.00
2/1/2012	DG	Arrange conferences with D. Poplin	0.40 400.00/hr	160.00
2/3/2012	DG	Conference call with government lawyer and co-counsel	2.00 400.00/hr	800.00
2/6/2012	DG	Meet with R. Guttman and co-counsel [REDACTED]	2.60 400.00/hr	1,040.00
2/7/2012	GB	Meet with attorneys for Relators	1.20 550.00/hr	660.00
	AML	Work on binder for DWG for his meeting	0.50 150.00/hr	75.00
	DG	Meet with co-counsel; meet with USAO [REDACTED]	5.60 400.00/hr	2,240.00
2/8/2012	DG	Follow up with DOJ re: meetings	0.40 400.00/hr	160.00
2/17/2012	GB	Conference call with Plaintiff counsel as to status with DOJ	1.00 550.00/hr	550.00
	DG	Conference call w/ DOJ and Relators' counsel.	1.00 400.00/hr	400.00
2/21/2012	DG	Correspondence with co-counsel [REDACTED]	0.30 400.00/hr	120.00
2/22/2012	DG	Correspond [REDACTED]	0.30 400.00/hr	120.00
2/27/2012	DG	E-mail [REDACTED]	0.30 400.00/hr	120.00

			<u>Hrs/Rate</u>	<u>Amount</u>
3/1/2012	DG	Review data filed from [REDACTED]	3.10 400.00/hr	1,240.00
3/2/2012	DG	Review [REDACTED]	2.80 400.00/hr	1,120.00
3/5/2012	GB	Receive and review [REDACTED] discuss same with DWG	0.30 550.00/hr	165.00
	DG	Meet with GB [REDACTED]	0.30 400.00/hr	120.00
3/7/2012	DG	Correspondence with M. Handrigan [REDACTED] review production log doc	0.80 400.00/hr	320.00
3/16/2012	DG	Correspond [REDACTED]	2.10 400.00/hr	840.00
3/20/2012	DG	Review [REDACTED]	4.20 400.00/hr	1,680.00
3/21/2012	DG	Conference call [REDACTED]	1.30 400.00/hr	520.00
3/25/2012	DG	Correspondence [REDACTED]	0.70 400.00/hr	280.00
3/26/2012	GB	Conference calls w/ co-counsel	2.00 550.00/hr	1,100.00
	DG	Conference calls with R. Guttman and D. Dean	2.00 400.00/hr	800.00
4/4/2012	SPT	Meet with J.D.Thomas	0.50 300.00/hr	150.00
	DG	Meet with JD Thomas [REDACTED]	0.50 400.00/hr	200.00
4/5/2012	GB	Prep and conference call with DOJ and attorneys	0.50 550.00/hr	275.00
	DG	Call w/ DOJ and Relators' counsel.	0.50 400.00/hr	200.00
4/16/2012	AML	Update case file for GEB	1.40 150.00/hr	210.00
5/14/2012	GB	Work on getting date set for meeting in DC	0.20 550.00/hr	110.00

			<u>Hrs/Rate</u>	<u>Amount</u>
5/14/2012	DG	Phone calls with JD Thomas [REDACTED]	0.30 400.00/hr	120.00
5/29/2012	GB	E-mail setting up conference calls	0.50 550.00/hr	275.00
	DG	E-mail correspondence [REDACTED]	0.50 400.00/hr	200.00
5/31/2012	GB	Conference call on meeting with DOJ in DC on June 4	0.70 550.00/hr	385.00
	DG	Calls with co-counsel to prep for DOJ meeting	0.70 400.00/hr	280.00
6/1/2012	GB	Prep for DC meeting June 4, 2012	1.50 550.00/hr	825.00
	AML	Work on binders for GEB and DWG trip	1.30 150.00/hr	195.00
	DG	Prep for DOJ meeting	3.70 400.00/hr	1,480.00
6/2/2012	DG	Prep for meeting with DOJ in DC	2.80 400.00/hr	1,120.00
6/3/2012	DG	Prep for meeting with DOJ in DC	4.60 400.00/hr	1,840.00
6/4/2012	DG	Travel to DC; meet with DOJ [REDACTED] travel from DC to Nashville	14.50 400.00/hr	5,800.00
	GB	Travel to DC; meet w/ DOJ; travel back to Nashville	14.50 550.00/hr	7,975.00
7/13/2012	GB	Meet with US Attorney JD Thomas and M. Curley [REDACTED]	1.50 550.00/hr	825.00
	DG	Meet with J.D. Thomas and M. Curley [REDACTED] call with K. Pierson [REDACTED]	1.50 400.00/hr	600.00
7/20/2012	GB	Prep and conference call with our lawyers on strategy	1.20 550.00/hr	660.00
	DG	Calls w/ co-counsel.	1.20 400.00/hr	480.00
7/26/2012	DG	Conference call w/ co-counsel.	1.40 400.00/hr	560.00

			<u>Hrs/Rate</u>	<u>Amount</u>
8/9/2012	DG	Conference call w/ DOJ and co-counsel.	2.70 400.00/hr	1,080.00
9/5/2012	DG	Review production log form in Handrigan.	0.30 400.00/hr	120.00
9/6/2012	DG	Conference call w/ DOJ and co-counsel.	1.30 400.00/hr	520.00
9/13/2012	DG	Work on gov't witness list.	1.80 400.00/hr	720.00
9/17/2012	DG	Work on amended complaint.	2.80 400.00/hr	1,120.00
9/19/2012	DG	Work on doc review.	2.40 400.00/hr	960.00
10/5/2012	DG	Attend call w/ DOJ and co-counsel [REDACTED]	1.80 400.00/hr	720.00
10/17/2012	DG	Review gov't's production.	0.80 400.00/hr	320.00
11/2/2012	DG	Conference call with DOJ [REDACTED]	1.20 400.00/hr	480.00
	DG	Call with co-counsel [REDACTED]	0.60 400.00/hr	240.00
11/12/2012	DG	Conference with R. Bryant [REDACTED]	0.80 400.00/hr	320.00
11/13/2012	DG	Calls with S. Cook [REDACTED]	1.60 400.00/hr	640.00
11/14/2012	DG	Work with JD Thomas [REDACTED]	0.20 400.00/hr	80.00
11/15/2012	DG	Work on setting up USAO meeting	0.20 400.00/hr	80.00
11/16/2012	DG	Prepare for USAO Meeting.	3.50 400.00/hr	1,400.00
11/25/2012	DG	Edit [REDACTED]	0.70 400.00/hr	280.00
	DG	Prep for USAO meeting	3.80 400.00/hr	1,520.00

			<u>Hrs/Rate</u>	<u>Amount</u>
11/26/2012	DG	Prep for USAO meeting; meet with co-counsel	5.20 400.00/hr	2,080.00
11/27/2012	DG	Meet with USAO to talk case strategy	2.50 400.00/hr	1,000.00
11/28/2012	DG	Review pleading as a result of USAO meeting	4.20 400.00/hr	1,680.00
1/8/2013	DG	Correspond [REDACTED]	0.30 400.00/hr	120.00
1/24/2013	DG	Correspond with M. Handrigan [REDACTED]	0.20 400.00/hr	80.00
1/29/2013	DG	Correspond [REDACTED]	0.40 400.00/hr	160.00
1/30/2013	DG	Correspondence with R. Guttman [REDACTED]	0.30 400.00/hr	120.00
2/7/2013	DG	Work on [REDACTED]	2.10 400.00/hr	840.00
2/14/2013	SPT	Call with [REDACTED]	0.40 300.00/hr	120.00
	DG	Phone call with [REDACTED]	0.40 400.00/hr	160.00
3/4/2013	DG	Correspond [REDACTED]	0.60 400.00/hr	240.00
3/5/2013	DG	Review procedural summary of [REDACTED]	1.80 400.00/hr	720.00
3/6/2013	DG	Correspondence with JD Thomas [REDACTED]	0.80 400.00/hr	320.00
3/7/2013	DG	Correspondence with JD Thomas [REDACTED]	0.10 400.00/hr	40.00
3/11/2013	DG	Call with JD Thomas [REDACTED]	0.50 400.00/hr	200.00
3/12/2013	GB	Review conference call and attending issues arising therefrom	1.20 550.00/hr	660.00
	DG	Correspondence with JD Thomas [REDACTED]	0.20 400.00/hr	80.00

			<u>Hrs/Rate</u>	<u>Amount</u>
3/12/2013	DG	Conference call with co-counsel	1.20 400.00/hr	480.00
3/21/2013	GB	Conference call with DOJ and all Plfs counsel [REDACTED]	1.40 550.00/hr	770.00
	DG	Conference call with DOJ and Relator's counsel	1.40 400.00/hr	560.00
4/5/2013	GB	Conference call on [REDACTED]	1.00 550.00/hr	550.00
	DG	Conference call with DOJ	1.00 400.00/hr	400.00
5/23/2013	GB	Conference call with DOJ and Attorneys on [REDACTED]	1.30 550.00/hr	715.00
	DG	Conference call w/ DOJ	1.30 400.00/hr	520.00
6/13/2013	DG	Conference call with DOJ [REDACTED]	0.30 400.00/hr	120.00
6/19/2013	DG	Conference with TB and RG [REDACTED]	1.60 400.00/hr	640.00
7/3/2013	DG	Confer with M. Handrigan on [REDACTED]	0.30 400.00/hr	120.00
7/25/2013	DG	Conference with JD Thomas on call.	0.90 400.00/hr	360.00
7/29/2013	DG	Confer with co-counsel [REDACTED]	0.60 400.00/hr	240.00
7/30/2013	DG	Confer with co-counsel [REDACTED]	0.40 400.00/hr	160.00
8/5/2013	DG	Correspondence [REDACTED]	0.20 400.00/hr	80.00
8/8/2013	DG	Conference call w/ DOJ and co-counsel.	1.00 400.00/hr	400.00
8/10/2013	DG	Work on setting up call with relators	0.10 400.00/hr	40.00
8/14/2013	DG	Work on setting up call with Relators	0.20 400.00/hr	80.00

			<u>Hrs/Rate</u>	<u>Amount</u>
8/15/2013	DG	Phone call and email with Sheree Cook [REDACTED]	1.70 400.00/hr	680.00
8/16/2013	DG	Call w/ Relators.	0.40 400.00/hr	160.00
8/22/2013	GB	E-mailed [REDACTED] Reviewed comp. [REDACTED] [REDACTED] attempt arrang conference. Call next week.	1.00 550.00/hr	550.00
	DG	Review amended complaint; correspondence re: same	1.80 400.00/hr	720.00
	DG	Call w/ co-counsel [REDACTED]	1.20 400.00/hr	480.00
8/23/2013	GB	Circulate draft pleadings, get comments; Set up conf. call for Monday; Met with DG for same, etc.	1.00 550.00/hr	550.00
	DG	Correspondence re: co-counsel call	0.10 400.00/hr	40.00
8/26/2013	SH	Research [REDACTED] [REDACTED]	2.40 265.00/hr	636.00
	GB	Conference call with Ruben, etc., as to status of case [REDACTED] [REDACTED]	1.20 550.00/hr	660.00
	DG	Conference call with co-counsel	1.20 400.00/hr	480.00
8/27/2013	DG	Correspondence [REDACTED]	0.30 400.00/hr	120.00
8/28/2013	DG	Review [REDACTED]	1.40 400.00/hr	560.00
8/29/2013	DG	Work on [REDACTED]	4.80 400.00/hr	1,920.00
8/30/2013	DG	Phone call with JD Thomas [REDACTED]	0.20 400.00/hr	80.00
9/19/2013	DG	Calls and email with O. Nwaeze re: [REDACTED]	1.10 400.00/hr	440.00
	DG	Review disclosure statement [REDACTED] call with co-counsel	3.00 400.00/hr	1,200.00
	DG	Work on amending complaint	4.30 400.00/hr	1,720.00

		<u>Hrs/Rate</u>	<u>Amount</u>
9/23/2013	DG Correspondence w/ T. Bushner [REDACTED]	0.20 400.00/hr	80.00
9/24/2013	DG Correspondence and call with co-counsel re: deposition outlines	0.80 400.00/hr	320.00
9/26/2013	DG Review [REDACTED] hot docs index and related documents; conference with JD Thomas re: same	2.40 400.00/hr	960.00
10/1/2013	DG Conference with JD Thomas re: [REDACTED] review pleadings	0.40 400.00/hr	160.00
10/6/2013	DG Call with JD Thomas re: [REDACTED] discuss status of case	0.60 400.00/hr	240.00
10/10/2013	DG Work on [REDACTED] deposition outline	4.20 400.00/hr	1,680.00
10/21/2013	DG Review and edit [REDACTED] deposition outline	3.80 400.00/hr	1,520.00
10/23/2013	DG Work on [REDACTED] deposition outline	2.40 400.00/hr	960.00
10/25/2013	DG Meet with TB re: status of deposition prep.	1.20 400.00/hr	480.00
10/30/2013	DG Meet with JD Thomas re: status of case; discussion of [REDACTED] [REDACTED] [REDACTED]	1.60 400.00/hr	640.00
10/31/2013	DG Correspondence re: [REDACTED]	0.10 400.00/hr	40.00
11/7/2013	DG Conference call w/ DOJ and co-counsel.	0.90 400.00/hr	360.00
11/10/2013	DG Conference call w/ DOJ and co-counsel.	0.90 400.00/hr	360.00
11/13/2013	DG Confer with JD re: [REDACTED]	0.20 400.00/hr	80.00
	DG Correspondence w/ TB.	0.20 400.00/hr	80.00
11/21/2013	DG Confer with JD Thomas re: status of settlement	0.30 400.00/hr	120.00
	DG Call w/ RG and TB.	0.80 400.00/hr	320.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/9/2014	DG	Correspond with JD Thomas [REDACTED]	0.10 400.00/hr	40.00
1/14/2014	DG	Meet with JD Thomas re: settlement process	1.20 400.00/hr	480.00
1/15/2014	DG	Phone call with JD Thomas re: settlement	0.20 400.00/hr	80.00
1/24/2014	DG	E-mail with co-counsel to set up call	0.10 400.00/hr	40.00
1/25/2014	DG	Review spreadsheet of [REDACTED] [REDACTED]	1.60 400.00/hr	640.00
	DG	E-mail with co-counsel to set up call	0.10 400.00/hr	40.00
1/27/2014	GB	Prepare for conf. call with plf counsel; conference call	1.50 550.00/hr	825.00
	DG	Conference call with co-counsel re: [REDACTED]	1.50 400.00/hr	600.00
1/29/2014	DG	Correspondence with JD re: [REDACTED]	0.10 400.00/hr	40.00
2/10/2014	DG	Correspondence with co-counsel re: [REDACTED]	0.30 400.00/hr	120.00
	DG	Conference with RG and TB.	1.10 400.00/hr	440.00
2/11/2014	DG	Correspondence with co-counsel re: [REDACTED] and setting up meeting to discuss	0.20 400.00/hr	80.00
2/12/2014	GB	Preparation and conf. call with plf attorneys on our cases [REDACTED] [REDACTED]	1.00 550.00/hr	550.00
	DG	Conference call with co-counsel	0.60 400.00/hr	240.00
2/19/2014	DG	Calls w/ TB and RG re: meeting w/ co-counsel.	0.60 400.00/hr	240.00
2/20/2014	DG	E-mail to set up co-counsel call re: [REDACTED]	0.10 400.00/hr	40.00
3/3/2014	DG	Prepare for Relators' share meeting with counsel	2.90 400.00/hr	1,160.00

			<u>Hrs/Rate</u>	<u>Amount</u>
3/3/2014	DG	Phone call with JD Thomas re: [REDACTED]	0.30 400.00/hr	120.00
3/4/2014	DG	Meet with R. Guttman to prep for meeting with [REDACTED]	1.50 400.00/hr	600.00
	DG	Prep for [REDACTED]	3.80 400.00/hr	1,520.00
	DG	Travel from Nashville [REDACTED]	3.20 400.00/hr	1,280.00
3/5/2014	DG	Work on arranging call [REDACTED]	0.60 400.00/hr	240.00
	DG	Meet with [REDACTED] [REDACTED]	0.60 400.00/hr	240.00
	DG	Meet with [REDACTED]	4.80 400.00/hr	1,920.00
	DG	Travel from [REDACTED] to Nashville	4.00 400.00/hr	1,600.00
3/10/2014	DG	Calls w/ TB re: potential settlement.	0.90 400.00/hr	360.00
3/12/2014	SPT	Call w/ relators and co-counsel	0.70 300.00/hr	210.00
	DG	Conference call with Relators	0.70 400.00/hr	280.00
3/13/2014	SPT	Call w/ relators' counsel	0.50 300.00/hr	150.00
	DG	Conference call with DOJ to discussion questions re: [REDACTED] [REDACTED]	0.50 400.00/hr	200.00
3/17/2014	GB	E-mails with co-counsel re: splitting the fees; meet w/ DG on same.	1.20 550.00/hr	660.00
	DG	Correspondence with co-counsel re: [REDACTED] meet with GEB re: [REDACTED]	1.20 400.00/hr	480.00
3/18/2014	DG	Review [REDACTED]	0.30 400.00/hr	120.00
3/19/2014	DG	Correspondence with DOJ re: [REDACTED]	0.10 400.00/hr	40.00

			<u>Hrs/Rate</u>	<u>Amount</u>
3/25/2014	GB	Conference call with DOJ and attys on settlement questions; follow up	0.80 550.00/hr	440.00
	SPT	Call with government [REDACTED]	0.80 300.00/hr	240.00
	DG	Conference call with DOJ and other Relators' counsel [REDACTED] call with co-counsel; meet with SPT	0.80 400.00/hr	320.00
3/26/2014	DG	Correspondence with Dr. Doghramji [REDACTED]	0.10 400.00/hr	40.00
	DG	Correspond with JD Thomas	0.10 400.00/hr	40.00
3/27/2014	DG	Meet with JD Thomas	1.30 400.00/hr	520.00
3/28/2014	DG	Call with Matt Organ [REDACTED]	0.50 400.00/hr	200.00
	AC	Phone call with Dr. Doghramji	0.10 150.00/hr	15.00
	AC	E-mail to J. Doghramji	0.10 150.00/hr	15.00
	AC	E-mails to S. Cook and R. Bryant	0.10 150.00/hr	15.00
3/31/2014	AC	Calls to R. Bryant & S. Cook	0.20 150.00/hr	30.00
	AC	E-mails to S. Cook & R. Bryant	0.10 150.00/hr	15.00
	AC	Calls w/ S. Cook	0.10 150.00/hr	15.00
	AC	E-mail to S. Cook re: conf.call	0.10 150.00/hr	15.00
4/1/2014	AC	Call w/ R. Bryant re: conf. call	0.10 150.00/hr	15.00
	AC	E-mail to R. Bryant re: conf. call	0.10 150.00/hr	15.00
	AC	E-mail to DWG re: call w/ R. Bryant	0.10 150.00/hr	15.00

			<u>Hrs/Rate</u>	<u>Amount</u>
4/1/2014	SPT	Call with Relators (0.7)	0.70 300.00/hr	210.00
	DG	Call with Relators	0.70 400.00/hr	280.00
	GB	Call with Relators	0.70 550.00/hr	385.00
4/14/2014	DG	Review DOJ's filing in [REDACTED]	1.50 400.00/hr	600.00
4/15/2014	DG	Meet with JD Thomas [REDACTED]	1.70 400.00/hr	680.00
4/16/2014	SPT	Meet with D. Garrison concerning [REDACTED]	0.30 300.00/hr	90.00
	DG	Meet with SPT re: [REDACTED]	0.30 400.00/hr	120.00
4/17/2014	DG	Calls with co-counsel [REDACTED]	0.80 400.00/hr	320.00
4/18/2014	GB	Review DOJ brief [REDACTED] conf. call with counsel; meet with DG [REDACTED]	1.00 550.00/hr	550.00
	DG	Meet with GEB re: [REDACTED]	0.80 400.00/hr	320.00
4/21/2014	DG	Work on Relator's share letter for DOJ	1.80 400.00/hr	720.00
	SPT	Revise letter to government on [REDACTED] Qui tam Dograhamji, Cook, Bryant	1.20 300.00/hr	360.00
	SH	Revise and edit letter to DOJ	2.10 265.00/hr	556.50
4/22/2014	DG	Calls w/ JD Thomas.	0.20 400.00/hr	80.00
4/24/2014	AC	Calls to relators re: [REDACTED]	0.40 150.00/hr	60.00
4/25/2014	TLM	Research on [REDACTED] email to DWG	1.00 450.00/hr	450.00
4/26/2014	TLM	Research on [REDACTED] emails with DWG	3.50 450.00/hr	1,575.00

			<u>Hrs/Rate</u>	<u>Amount</u>
4/27/2014	TLM	Research on [REDACTED] emails with DWG	2.50 450.00/hr	1,125.00
	DG	Correspondence w/ T. Miles [REDACTED]	0.80 400.00/hr	320.00
5/2/2014	SH	Research [REDACTED]	4.20 265.00/hr	1,113.00
	SH	Begin drafting [REDACTED]	1.40 265.00/hr	371.00
	DG	Conference with T. Bushner and S. Hyatt re: [REDACTED]	1.40 400.00/hr	560.00
5/3/2014	SH	Draft Memo [REDACTED]	2.80 265.00/hr	742.00
	DG	Review memo [REDACTED]	1.30 400.00/hr	520.00
5/5/2014	DG	Travel from Nashville to DC for [REDACTED]	3.20 400.00/hr	1,280.00
5/7/2014	DG	Calls w/ JD Thomas re: [REDACTED]	0.40 400.00/hr	160.00
	DG	Travel back from DC to Nashville from [REDACTED]	3.50 400.00/hr	1,400.00
	GB	Conference with [REDACTED]	0.40 550.00/hr	220.00
	DG	Conference call with [REDACTED]	0.40 400.00/hr	160.00
5/14/2014	DG	Review proposed settlement agreement with [REDACTED]	0.70 400.00/hr	280.00
For professional services rendered			518.85	\$217,268.50
Additional Charges :				
5/9/2011	Filing Fee - complaint			350.00
5/13/2011	Filing Fee - Pro Hac Vice for Kit Pierson, Emilie Kraft, and David Dean			225.00
	Conference Call			6.78

	<u>Amount</u>
6/7/2011 Filing Fee - Pro hac - David Young	75.00
7/11/2011 Advanced Costs - Wydham Union Station for meeting space	356.82
7/12/2011 Advanced Costs--parking for Relators' Meeting	12.00
Advanced Costs - meal meeting	483.77
Advanced Costs - Frist Center - Nashville	28.68
7/13/2011 Advanced Costs - meal meeting	47.25
7/15/2011 Advanced Costs - Frist Center - Nashville	36.33
8/25/2011 Advanced Costs - Copper Kettle-Nashville - Meal w/ government lawyer	11.47
8/30/2011 Advanced Costs - Courier Expense - delivery to U.S. Attorney office (Road Runner # 6711)	15.50
9/12/2011 Advanced Costs - Starbucks - Nashville - Meal w/ government lawyer	5.57
9/23/2011 Advanced Costs - meal - 417 Union, Nashville w/ government lawyer	27.02
4/24/2012 Advanced Costs- Chuy's Rest w/ government lawyer	28.88
5/14/2012 Filing Fee- Pro Hac Vice Motion	150.00
5/15/2012 Travel- advanced travel cost for DC trip to meet with DOJ	252.05
6/4/2012 Travel- GEB and DWG Travel to DC for counsel meeting (Airfare)	1,416.20
10/15/2012 Advanced Costs Meals 09/18/2012	21.89
2/11/2013 Advanced Costs-CHS-Lunch-11/27/2012	15.00
12/4/2013 Advanced Costs for 11/7/2013 Meal	15.61
4/7/2014 Travel-Courtyard by Marriott 3/5/2014 Capitol One	214.82
Travel expenses for 03/04/2014-03/06/2014 Capitol One	120.86
9/24/2014 Copying cost	77.00
9/25/2014 Advanced Costs--Richards & Richards Inv#ISO11854	27.31
Total additional charges	\$4,020.81
Total amount of this bill	\$221,289.31

	<u>Amount</u>
Balance due	<u>\$221,289.31</u>

Exhibit B

BARRETT JOHNSTON MARTIN & GARRISON, LLC

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Facsimile: (615) 252-3798
www.barrettjohnston.com**

LAW FIRM BIOGRAPHY

BARRETT JOHNSTON MARTIN & GARRISON, LLC concentrates a significant part of its practice on class action litigation, including cases involving violations of federal securities law, ERISA, FLSA, federal antitrust law, state consumer and antitrust law, and employment discrimination. The firm also has an active practice in corporate governance shareholder derivative litigation, enforcing corporate rights through the company's shareholders, and merger and acquisition related litigation involving breaches of fiduciary duty. The firm also devotes a significant part of its practice to Whistleblower/False Claims litigation involving claims brought by whistleblowers under the *Qui Tam* Provisions of the False Claims Act.

The firm's office is located in Nashville, Tennessee and is active in major class action litigation pending in federal and state courts throughout Tennessee and across the country, as well as litigation before the Judicial Panel on Multidistrict Litigation. The firm is listed in Martindale-Hubbell, Bar Registry of Preeminent Lawyers for 2012, meaning that the firm has an AV rating (the highest rating available). Barrett Johnston Martin & Garrison, LLC is one of only two such firms in Tennessee listed in the class action section.

The firm's reputation for excellence has been recognized on repeated occasions by various courts throughout the country which have appointed the firm to leadership positions in complex class and derivative actions including multi-district or consolidated litigations. *See, e.g., Horns ex rel. v. Raines*, 227 F.R.D. 1, 3-4 (D.D.C. 2005) (appointing firm co-lead counsel in Fannie Mae shareholder derivative litigation and noting the experience and success of the firm in this type litigation); *Pirelli Armstrong Tire Corp. Retiree Medical Benefits Trust, et al. v. Stumpf, et al.*, No. C 11-2369, slip op., at *3 (N.D. Cal. Aug. 3, 2011) (appointing the firm co-lead counsel in Wells Fargo shareholder derivative action involving robo-signing and other related mortgage abuses and holding that "Barrett Johnston . . . has considerable experience litigating complex class and shareholder actions, and the firm has been appointed co-lead counsel in such

BARRETT JOHNSTON MARTIN & GARRISON, LLC

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Nashville, Tennessee 37219

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cases. The Court finds that [Barrett Johnston Martin & Garrison, LLC] will fairly and adequately represent Wells Fargo shareholders, and do so in an economic and efficient fashion”); *In re Am. Serv. Group, Inc.*, 3:06-00323, 2006 WL 2503648, at *4 (M.D. Tenn. Aug. 29, 2006) (“Here, MARTA’s counsel is well qualified and experienced to represent the class in this action and the Court approves MARTA’s choice of counsel [including Barrett Johnston Martin & Garrison, LLC as Liaison Counsel.]”). *See also In re Cardinal Health, Inc. ERISA Litig.*, 225 F.R.D. 552, 558 (S.D. Ohio 2005) (“The Salinas Plaintiffs’ counsel [Barrett Johnston Martin & Garrison, LLC] ha[s] [an] extremely impressive resume[.]. Barrett Johnston . . . has extensive securities class action experience and substantial labor union based ERISA experience.”).

In certifying complex cases as class actions, Courts have noted the qualifications and experience of the firm in this area. *See, e.g., In re Broadwing, Inc. ERISA Litig.*, 252 F.R.D. 369, 375 (S.D. Ohio 2006) (“In the instant case, both Plaintiffs’ and Defendants’ counsel are experienced practitioners in the field of complex ERISA, class action, employment and securities litigation.”); *Craft v. Vanderbilt*, 174 F.R.D. 396, 406 (M.D. Tenn. 1996); *In re Direct Gen. Corp.*, 3:05-0077, 2006 WL 2265472, at *4 (M.D. Tenn. Aug. 8, 2006) (Holding that “Plaintiffs will adequately represent the proposed class . . . through qualified counsel who will zealously and competently represent the interests of the proposed class.”)

As shown below, Barrett Johnston Martin & Garrison, LLC has taken a major role in numerous actions on behalf of defrauded investors and consumers for violations of federal security laws, ERISA, state consumer and antitrust laws as well as breaches of fiduciary duty in shareholder derivative litigation and merger and acquisition litigation in state and federal courts across the country.

FOUNDING PARTNER

The firm was founded by George E. Barrett (1927-2014), who, beginning in the late 1950s, gained a reputation for his courageous advocacy on behalf of those facing legal difficulties because of their involvement in the civil rights movement. His practice spanned over 50 years and many areas of law, but the common theme was always his advocacy on behalf of “underdogs” and “the underserved.”

Mr. Barrett became a champion of the underdog, representing labor unions, anti-war demonstrators and teachers. In the 1960s, Mr. Barrett helped register African Americans to vote and served as president of a statewide human rights council that fought to end segregation. In 1968, his drive for justice led him to file one of his biggest cases, *Geier v. Tennessee*, which resulted in the desegregation of Tennessee’s state universities and was litigated for over 30 years.

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Over the years, Mr. Barrett won a number of high-profile cases. One such case saved Gaile Owens from death row in 2011. Owens was imprisoned for 25 years for arranging the execution of her husband, after suffering years of his abuse. As a result of his efforts, the Tennessee Board of Probation and Parole voted to free the former death row inmate after Mr. Barrett personally authored a written appeal to the governor. In another landmark case brought against his law school alma mater, Mr. Barrett served as counsel for a certified class of women who were intentionally exposed to radioactive iron without their consent while receiving prenatal care at Vanderbilt University hospital in the 1940s. The cases resulted in a settlement which included \$10.3 million and a formal apology from Vanderbilt University.

Mr. Barrett was also responsible for other class action settlements of historical and national significance including some of the largest securities class action settlements in Tennessee and Sixth Circuit history. In addition to his extensive civil rights and labor law practice, Mr. Barrett's practice also included labor, government law, labor arbitration, labor mediation, collective bargaining, civil liberties, constitutional law, municipal law, civil litigation and class action litigation. In honor of his accomplishments, the San Diego School of Law created the George E. Barrett Professorship in Law and Finance.

SETTLEMENTS

As exemplified by the Sixth Circuit Court of Appeals in *Geier v. Sundquist*, 372 F.3d 784 (6th Cir. 2004), the firm has been responsible for class action settlements of historical and national significance. In *Geier*, a civil rights action in which the firm served as original and lead counsel for plaintiffs and successfully litigated for over thirty-six years, and which resulted in the dismantling of a dual system of education in the state of Tennessee and resulted in benefits totaling in excess of \$320 million, the Sixth Circuit, in noting the "exceptional nature and national significance of the case" stated:

[T]he magnitude of this case is formidable in numerous respects. The legal principles advanced by the Geier Plaintiffs were path breaking and of great social import. It was in this case that this Court first held that there was an affirmative duty to remove all vestiges of state-imposed segregation in institutions of public higher education, just as there was such an obligation at lower educational levels. Plaintiffs have litigated -- successfully -- for thirty-six years against continuous state opposition and contrary judicial precedents outside this Circuit, and they have secured injunctive relief -- valued at approximately \$320 million -- in programs affecting all public institutions of higher education.

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Id. at 795. The court concluded by noting that “the tenacity of the attorneys and broad remedies obtained . . . render this a ‘rare’ and ‘exceptional’” case. *Id.* The *Geier* case served as a model for other similar cases brought in the South. *Id.*

In approving the final settlement and dismissal of the historical *Geier* litigation, Senior Judge Thomas Wiseman, Jr. stated:

Finally, having had the judicial responsibility for this case for the entire 28 years of my tenure as a judge, the Court takes this opportunity to record officially in the Order of Dismissal and in the permanent records of the Middle District of Tennessee some personal observations and laudatory remarks.

The progress of this case, particularly in recent years, presents a remarkable example of the societal benefit that can occur when lawyers of vision and imagination, motivated by a passion to not only represent a client but to achieve a just result, apply their energy and intellect to a problem. This Court and this case have been blessed with outstanding lawyers in the finest traditions of the profession. Mr. George Barrett recognized the problem and brought it to his inimitable creativity and perseverance . . . Good lawyers make a judge’s job easy.

Geier v. Bredesen, 453 F. Supp. 2d 1017, 1018 (M.D. Tenn. 2006).

The firm has also been responsible for other significant settlements of class action cases including, at the time, the two largest securities class action settlements in Tennessee and Sixth Circuit history. One of those settlements, *In re Dollar General Corp. Securities Litigation*, Case No. 3:01-0388 (M.D. Tenn.) (Wiseman, J.), which settled for \$172.5 million, was at the time the largest securities class action settlement in Sixth Circuit history and at the time represented the tenth largest settlement of a securities class action since the passage of the Private Securities Litigation Reform Act in 1995. The other settlement, *In re Prison Realty Securities Litigation*, Civ. No. 3-99-0452 (M.D. Tenn.) (Campbell, J.), which settled for \$107 million, was at the time the second largest securities class action settlement in Sixth Circuit history and at the time represented the sixteenth largest settlement of a securities class action since the passage of the Private Securities Litigation Reform Act in 1995.

Additionally, in *Morse v. McWhorter et al.*, Civ. No. 3-97-0370 (M.D. Tenn.) (Higgins, J.), which settled for \$49.5 million, the firm served as Liaison Counsel on Plaintiffs’ Executive Committee in an action brought against Columbia/HCA and its

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officers and directors in an action alleging violations of federal securities laws. Commenting on the qualifications of counsel and the excellent results achieved, Senior Judge Thomas A. Higgins stated:

Counsel's excellent qualifications and experience are well documented in the record . . . and they have litigated this difficult case tenaciously throughout the nearly seven years it has been pending. Despite having their claims dismissed early on, they have preserved and brought about an enormous cash settlement for the beneficiaries of the fund. There is no doubt that \$ 49.5 million is an excellent result in this case for beneficiaries who would likely have received nothing were it not for the determination and hard work of counsel.

Morse v. McWhorter et al., Civ. No. 3-97-0370, slip op. at 8 (M.D. Tenn. March 12, 2004).

In *In re Global Crossing Ltd. Securities & ERISA Litigation*, MDL Docket No. 1472 (S.D.N.Y.) (Lynch, J), which settled for approximately \$79 million, the firm served as a member of the lead counsel committee in a class action brought against Global Crossing, Ltd. and its officers and directors for violations of ERISA.

Another example of the innovation and imagination of the firm is the lawsuit of *United Rubber, Cork, Linoleum & Plastic Workers of America, et al. v. Pirelli Armstrong Tire Corporation, et al.*, in 1994 (Civ. No. 3-94-0573)(M.D. Tenn.)(Nixon, J.). The firm served as Co-Counsel for the retired employees of Pirelli Armstrong Tire Corporation resulting in a trial and finding a violation of ERISA. While the case was on appeal, a settlement was reached resulting in the creation of a VEBA in excess of \$70 million for the members of the Plaintiffs' class. This litigation, one of the first of its type, resulted from the change in F.A.S.B. No. 106, and was one of the earliest such cases in the country. The acceptance of these types of VEBAs is now common place as a result of the law made in the *Pirelli* case. The negotiation of VEBAs by both Goodyear Tire and Rubber Company and the automobile industry in recent years highlights the significance and the importance of this pioneer case.

The firm represented Lead Plaintiff and institutional investor Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust in *Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust v. Hanover Compressor Company, et al.*, Civil Action No. H-02-0410 (S.D. Tex.) (Gilmore, J.), a securities class action in which the court approved a settlement of \$85 million which included significant and unprecedented corporate governance changes including the first time a company agreed to rotate its outside auditor as part of a resolution of a shareholder class action.

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These settlements have produced monetary recovery and/or benefits for consumers, investors and citizens across the country totaling over a billion dollars in recoveries and including significant corporate governance changes and enhancements. These settlements include:

SECURITIES FRAUD

• ***In re Dollar General Corp. Securities Litigation***, Case No. 3:01-0388 (M.D. Tenn.) (Wiseman, J.). The firm served as Plaintiffs' Liaison Counsel in an action brought against Dollar General Corporation and its officers and directors in an action alleging violations of federal securities laws. The case resulted in a settlement of \$172.5 million. At the time, this was the largest securities class action settlement in Sixth Circuit and Tennessee history and at the time represented the tenth largest settlement of a securities class action since the passage of the Private Securities Litigation Reform Act in 1995.

• ***In re Prison Realty Securities Litigation***, Civ. No. 3-99-0452 (M.D. Tenn.) (Campbell, J.). The firm served as Liaison Counsel of Plaintiffs' Executive Committee in an action brought against Prison Realty Trust, Inc. and its officers and directors in an action alleging violations of federal securities laws. The case was consolidated with two other related cases which resulted in a settlement of approximately \$107 million. At the time, this represented the second largest securities class action settlement in Tennessee history; the second largest in Sixth Circuit history; and the at the time the sixteenth largest

settlement of a securities class action since the passage of the Private Securities Litigation Reform Act in 1995.

• ***Sidney Morse v. McWhorter et al.***, Civ. No. 3-97-0370 (M.D. Tenn.) (Higgins, J.). The firm served as Liaison Counsel on Plaintiffs' Executive Committee in an action brought against Columbia/HCA and its officers and directors in an action alleging violations of federal securities laws. The case resulted in a settlement of \$49.5 million.

• ***In re UnumProvident Corp. Securities Litigation***, Lead Case No. 1:03-CV-049 (E.D. Tenn.) (Collier, J.). The firm was appointed Liaison Counsel in an action brought against UnumProvident Corporation and its officers and directors in an action alleging violations of federal securities laws. The case resulted in a settlement of \$40 million.

• ***In re Bridgestone Securities Litigation***, Master File No. 3:01-0017 (M.D. Tenn.) (Echols, J.). The firm served as Plaintiffs' Liaison Counsel in an action brought against Bridgestone and its officers and directors in an action alleging violations of federal securities laws. The case resulted in a settlement of \$30 million.

• ***Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust v. Hanover Compressor Company, et al.***, Civil Action No. H-02-0410 (S.D. Tex.) (Gilmore, J.). The firm represented Lead Plaintiff and institutional investor Pirelli Armstrong Tire Corporation Retiree Medical Benefits Trust in this securities class action in which the court approved a settlement of \$85 million which included significant corporate governance changes.

• ***Winslow v. BancorpSouth, Inc., et al.*** Case No. 3:10-cv-00463 (M.D. Tenn.) (Sharp, J.). The firm served as Plaintiff's Liaison Counsel in an action brought against BancorpSouth, Inc. and its officers and directors in an action alleging violations of federal securities laws which resulted in a settlement of \$29.25 million.

• ***Beach et al. v. Healthways, et al.***, Civil Action No. 3:08-00569 (M.D. Tenn. (Campbell, J.). The firm served as Plaintiff's Liaison Counsel in an action brought against Healthways and its officers and directors in an action alleging violations of federal securities laws which resulted in a settlement of \$23.6 million.

• ***In re Direct General Corporation Securities Litigation***, Civil Action No. 3:05-0077 (M.D. Tenn. (Campbell, J.). The firm served as Plaintiff's Liaison Counsel in an action brought against Direct General Corporation and its officers and directors in an action

alleging violations of federal securities laws which resulted in a settlement of \$14.96 million including \$2.96 million recovered from the individual defendants.

• ***In re America Service Group Litigation***, Civ. No. 3:06-cv-00323 (M.D. Tenn.) (Haynes, J.). The firm served as Liaison Counsel in a securities class action which resulted in a settlement of \$14.895 million in cash and stock.

• ***In re Envoy Securities Litigation***, Civ. No. 3-98-0760 (M.D. Tenn.) (Haynes, J.). The firm served as Plaintiff's Liaison Counsel in an action brought against Envoy Corporation and its officers and directors in an action alleging violations of federal securities laws which resulted in a settlement of \$11 million.

• ***In re Phycor Corporation Securities Litigation***, Civ. Action No. 3-98-0834 (M.D. Tenn. (Campbell, J.). The firm served as Liaison Counsel in a securities class action which resulted in a settlement of \$10.095 million.

• ***In re Sirrom Capital Corporation Securities Litigation***, Civ. No. 3-98-0643 (M.D. Tenn.) (Campbell, J.). The firm served as one of Plaintiffs' counsel in a securities class action which resulted in a settlement of \$15 million.

• ***In re Quorum Securities Litigation***, Civ. No. 3-98-1004 (M.D. Tenn.) (Haynes, J.). The firm served as Co-Liaison Counsel in an action brought

against Quorum, Inc. and its officers and directors in an action alleging violations of federal securities laws. The case resulted in a settlement of \$11.75 million for the class members.

- ***In re Vision America Securities Litigation***, Civ. No. 3:00-0279 (M.D. Tenn.) (Campbell, J.). The firm served as Plaintiffs' Liaison Counsel in an action brought against Vision America and its officers and directors in an action alleging violations of federal securities laws. The case resulted in a settlement of \$2.575 million.

- ***In re SCB Computer Technology Securities Litigation***, Civ. No. 00-2343-MI/V (W. D. Tenn.) (Gibbons, J.). The firm served as Plaintiffs' Liaison Counsel in an action brought against SCB Computer Technology and its officers and directors in an action alleging violations of federal securities laws which resulted in a settlement of \$2.1 million.

- ***Paul Senior v. ShoLodge, Inc., et al.***, Civ. No. 98C-136 (Sumner Cty. Chancery Ct.) (Grey, C.). The firm served as Co-Lead counsel in a state securities class action brought on behalf of investors of ShoLodge, Inc. who purchases the companies' securities and bonds. The case resulted in a settlement valued, at least, at \$1.55 million.

DISCRIMINATION

- ***Geier v. Sundquist, et al.***, Civ. No. 5077 (M.D. Tenn.) (Wiseman, J.). The

firm served as Lead Counsel for the original plaintiffs in a class action lawsuit initiated in 1968 challenging the dual system of public higher education in Tennessee. The case was the oldest and longest lasting class action case on the docket in the Middle District of Tennessee and served as a model for other similar cases brought in the South. The case resulted in significant changes in public higher education throughout the State of Tennessee including the dismantling of a dual system of education and resulted in benefits totaling in excess of \$320 million. The Sixth Circuit Court of Appeals discussed at length the great social impact of the case and that the results achieved by Plaintiffs' counsel were "rare" and "exceptional." See *Geier v. Sundquist*, 372 F.3d 784, 796 (6th Cir. 2004).

- ***Hutcheson v. Tennessee Valley Authority, et al.***, Civ. No. 3-84-0201 (E.D. Tenn.) (Jarvis, J.). The firm served as Plaintiff's counsel for approximately 2000 female employees in a class action suit brought under Title VII alleging wage discrimination. The case resulted in a settlement of approximately \$5 million.

ERISA

• ***In re Global Crossing Ltd. Securities & ERISA Litigation***, MDL Docket No. 1472 (S.D.N.Y.) (Lynch, J.). The firm served as a member of the lead counsel committee in a class action brought against Global Crossing, Ltd. and its officers and directors. This action was brought on behalf of all participants and beneficiaries of the Global Crossing Employees' Retirement Savings Plan, a 401(k) plan operated and administered by Global Crossing Ltd., and alleges breaches of fiduciary duties and violations of ERISA disclosure requirements. The suit alleged that Global Crossing failed to disclose to plan participants adequate information about the true financial position of the company and even encouraged their employees to invest or maintain investments in company stock while placing restrictions on the employees' ability to sell their company stock. The case resulted in a settlement valued at approximately \$79 million.

• ***In re Qwest Savings and Investment Plan Erisa Litigation***, Case No. 02-RB-464 (PAC) (D. Colo.) (Blackburn, J.). The firm served as Plaintiffs' Counsel in a class action brought against Qwest Communications International and its officers and directors. This action was brought on behalf of all participants and beneficiaries of the Qwest Savings and Investment Plan, a 401(k) plan operated and established by Qwest, and alleges breach of fiduciary duty and violations of ERISA disclosure requirements. The suit

alleged that plan restrictions deprived Plaintiffs of control over their plan assets, forcing Plaintiffs to concentrate their assets in company stock. Moreover, Plaintiffs could not exercise independent control over their plan assets due to improper influences and/or concealed materials and non-public facts regarding certain investments. The case resulted in a settlement recovering millions of dollars and protects the Plan's right to recover in the parallel securities action.

• ***In re Broadwing, Inc. ERISA Litigation***, Case No. C-1-02-857 (S.D.Ohio) (Beckwith, J.). The firm served as Plaintiffs' Counsel in a class action brought against Broadwing, Inc. and its officers and directors. This action was brought on behalf of all participants and beneficiaries of the Broadwing Savings and Investment Plan, a 401(k) plan operated and established by Qwest, and alleges breach of fiduciary duty and violations of ERISA disclosure requirements. The case resulted in a settlement of \$11 million.

• ***United Rubber, Cork, Linoleum & Plastic Workers of America v. Pirelli Armstrong Tire Corporation, et al.***, Civ. No. 3-94-0573 (M.D. Tenn.) (Nixon, J.). The firm served as Co-Counsel in a class action brought by former retirees of the United Rubber, Cork, Linoleum & Plastic Workers of America for violations of ERISA. The case resulted in a settlement with a value of approximately \$70 million to the Plaintiff class.

• ***In re Providian Financial Corp. Securities Litigation***, Master File No. C-01-3952 CRB, (N.D. Ca.) (Breyer, J.). The firm served as Plaintiffs' Counsel in a class action brought against Providian and certain of its officers and directors. This action was brought on behalf of employees and beneficiaries of the Providian Financial Corporation 401(k) plan and alleged breaches of fiduciary duty and violation of ERISA disclosure requirements. The case resulted in a settlement of \$8.6 million.

• ***In re Xcel Energy, Inc., Securities, Derivative & "ERISA" Litigation***, No. Civ. 02-2677 (DSD/FLN) (D. Minn.) (Dody, J.). The firm is currently serving as Plaintiffs' Counsel in a class action brought against Xcel Energy, Inc. ("Xcel") and its officers and directors. This action was brought on behalf of all participants and beneficiaries of the Xcel Savings and Investment Plan, a 401(k) plan operated and established by Xcel, and alleges breach of fiduciary duty and violations of ERISA disclosure requirements. The case resulted in a settlement of \$8 million.

ANTITRUST

• ***In re: Pharmaceutical Industry Average Wholesale Price Litigation***, MDL No. 1456 (D. Mass). The firm served as Plaintiffs' counsel in this action involving drug companies' inflation of a benchmark called Average Wholesale Price or AWP. Plaintiffs' alleged AWP was an arbitrary number assigned by drug manufacturers which,

through various manipulations, resulted in consumers and third party payors vastly overpaying for needed medications. The case resulted in a settlement of approximately \$350 million.

• ***Sherwood v. Microsoft Corporation***, Civ. No. 99-C-3562 (Davidson Cty. Circuit Ct.) (Kurtz, J.). The firm served as Co-Lead Counsel in a consumer class action against Microsoft Corporation alleging violations of the Tennessee Consumer Protection Act and the Tennessee Trades Practices Act as a result of defendant Microsoft's unlawful monopolization of the market for licensing all Intel-compatible PC operating systems. The suit is brought on behalf of persons or entities in the State of Tennessee who purchased for purposes other than re-sale or distribution during the last four years Intel-compatible PC operating systems licensed by Microsoft. The case resulted in a settlement with a conservative minimum value worth at least \$32 million. The firm was responsible for the decision, ***Sherwood v. Microsoft***, No. 99C-3562, 2003 WL 21780975 (Tenn. Ct. App. Aug 2, 2004), which held that indirect purchasers had standing to sue under the Tennessee Trades Practices Act ("TTPA") and the TTPA applies to activity that has substantial effects on commerce within the State of Tennessee.

• ***Wright v. Mylan Laboratories, et al.***, Civ. No. 99C-37 (Sumner Cty. Chancery Ct.) (Grey, C.). The firm served as one of Plaintiff's counsel in an action brought on behalf of Tennessee

consumers alleging violations of the state's consumer and antitrust laws charging drug manufacturers with entering illegal agreements to monopolize the markets for the generic anti-anxiety drugs Lorazepam and Clorazepate. The claims of the Tennessee action were resolved as a result of a nationwide settlement of \$100 million. *See In re Lorazepam & Clorazepate Antitrust Litig.*, 205 F.R.D. 369 (D.C. Cir. 2002).

- *In re Cardizem CD Antitrust Litigation*, MDL No. 99-MD-1278 (E.D. Mich.) (Edmunds, J.). The firm served as one of Plaintiff's counsel in a consolidated action transferred by the Judicial Panel of Multidistrict of Litigation to the Eastern District of Michigan. The suit alleges violations of the Tennessee consumer and antitrust laws. The claims of the Tennessee action were resolved as a result of a nationwide settlement of \$80 million. *See In re Cardizem CD Antitrust Litig.*, 218 F.R.D. 508 (E.D. Mich. 2003).

- *Wilkinson v. E.I. Dupont de Numerous & Co., et al.*, Civ. No. 98-1188-III (Davidson Cty. Circuit Ct.) (Lyle, C.). The firm served as Co-Lead Counsel in an action brought on behalf of consumers who purchased the prescription drug Coumadin. The action was brought under the Tennessee Consumer Protection Act and the Tennessee Trades Practices Act. The claims of the Tennessee action were resolved as a result of a nationwide settlement of \$44.5 million. *See In re: Warfarin*

Sodium Antitrust Litig., 391 F.3d 516 (3rd Cir. 2004).

DERIVATIVE LITIGATION

- *City Of Westland Police and Fire Retirement System, Derivatively on Behalf of Wells Fargo & Company v. John G. Stumpf, et al.*, No. 3:11-cv-02369-SI (N.D. Cal.) (Ilston, J.). The firm was appointed Co-Lead Counsel by the Court in this shareholder derivative action brought on behalf of Wells Fargo & Company against its Board of Directors and certain officers alleging breaches of fiduciary duties over the company's use of "robo-signing." The case resulted in a settlement which secured significant governance reforms and corporate initiatives, including \$36.5 million in funding for homeownership down-payment assistance in communities affected by the financial crisis and high foreclosure rates.

- *In Re Juniper Networks, Inc. Derivative Litigation*, Lead Case No. 1:06CV064294 (Sup. Ct. Santa Clara, CA). The firm served as Co-Lead Counsel in this shareholder derivative action brought on behalf of Juniper Networks, Inc. in state court against its Board of Directors and certain current and past officers alleging breaches of fiduciary duty and other violations of law arising from the backdating of stock options. After extensively prosecuting the case, the firm helped secure substantive corporate governance reforms and a contribution of more than \$22 million in stock options to the

company from four executives and directors of the board.

• ***Vince Rowe, , Derivatively on Behalf of The St. Paul Travelers Companies, Inc. v. Jay S. Fishman***, Civil No. 04-4576 (JRT/FLN) (D. Minn.) (Tunheim, J.). The firm served as Plaintiffs' counsel in this shareholder derivative action against the Board of Directors of The St. Paul Travelers Companies, Inc. ("SPT") alleging breaches of fiduciary duties over the company's use of "contingent commission." The case resulted in a settlement requiring the company to adopt significant corporate governance changes. In approving the settlement the Court stated: "The Court finds that the enhanced corporate governance provisions are a direct result of this litigation and settlement and will create substantial non monetary benefits to SPT."

• ***In re Biopure Corporation Derivative Litigation***, Master Docket No. 1:04-cv-10177-NG (D. Mass) (Gertner, J.). The firm was appointed Co-Lead Counsel in this consolidated derivative action brought on behalf of Biopure Corporation ("Biopure" or the "Company") against its Board of Directors and certain officers seeking damages on behalf of the Company for the defendants breaches of fiduciary duties and other violations of law arising out defendants' issuance of false and misleading financial statements and press releases concerning the misrepresentation of the status of approval of the Company's primary

pharmaceutical products before the FDA. The Court denied defendants' motion to dismiss. *See In re Biopure Corporation Derivative Litig.*, 424 F.Supp.2d 305 (D. Mass. 2006). The case resulted in a settlement where significant corporate governance reforms were obtained.

• ***Heinz Bonde, Derivatively on Behalf of the Singing Machine Company, Inc. v. Edward Steele***, Case No. 03-61386-CIV-ZLOCH (S.D. Fla.) (Zloch, J.). The firm served as Plaintiffs' Counsel and was appointed Derivative Settlement Counsel in this shareholder derivative action brought on behalf of The Singing Machine Company against its Board of Directors and former auditor. The case was brought on behalf of the Company arising out of the defendants causing Singing Machine to be subjected to liability and to waste corporate assets as a result of issuing false and misleading financial statements and having to restate its past financial results. The case resulted in a settlement with the defendants agreeing to implement numerous and substantial corporate governance changes at the Company.

• ***In re AFC Enterprises, Inc. Derivative Litigation***, Consolidated Civil Action No. 1:03-CV-TWT (N.D. Ga.) (Thrash, J.). The firm served as Co-Lead Counsel and on Plaintiffs' Executive Committee in this shareholder derivative action brought on behalf of AFC Enterprises, Inc. ("AFC") against its Board of Directors and certain current and past officers and controlling shareholder in which the Court denied in most aspects

defendants motions to dismiss the action. *See In re AFC Enterprises Inc. Derivative Litigation*, 224 F.R.D. 515 (N.D. Ga. Aug. 12, 2004). The case resulted in a settlement with the defendants agreeing to implement numerous and significant corporate governance changes.

• *In re Vaso Active Pharmaceuticals, Inc. Derivative Litigation*, Consolidated Civil Action No. 04-10792-RCL (D. Mass.) (Lindsay, J.) The firm served as Co-Lead Counsel in this derivative action brought on behalf of Vaso Active Pharmaceuticals, Inc. The case resulted in a settlement with the company's board of directors agreeing to implement numerous and sweeping corporate governance changes.

• *Pirelli Armstrong Tire Corp. Retiree Medical Benefits Trust v. Sinegal*, No. 08-cv-01450-TSZ (W.D. Wash.). The firm served as Plaintiff's counsel in this shareholder derivative action brought on behalf of Costco Wholesale Corporation alleging breaches of fiduciary duty and other violations of law arising from the backdating of stock options. The case resulted in a settlement which included substantive corporate governance reforms, including among others, an Amendment of Costco's bylaws to provide "Majority Voting" election of directors.

• *In re The Cheesecake Factory Incorporated Derivative Litigation*, Case No. CV-06-6234 ABC (MANx) (C.D. Cal.). The firm served as Plaintiffs' Counsel in this shareholder derivative

action brought on behalf of The Cheesecake Factory Incorporated against its Board of Directors and certain current and past officers alleging breaches of fiduciary duty and other violations of law arising from the backdating of stock options. The case resulted in a settlement including extensive corporate governance reforms, financial contributions to the Company by certain Individual Defendants, and a tender offer in which certain misdated options were exchanged for options bearing the correct measurement date.

MERGER/ACQUISITIONS

• *In re Dollar General Corp. S'holders Litig.*, No. 07MD-1 (Davidson County 6th Cir. Ct., Tenn.). The firm served as Liaison Counsel in a class action on behalf of former Dollar General shareholders. The firm helped to secure a recovery of \$40 million in cash for former Dollar General shareholders on the eve of trial. The settlement represents the largest cash recovery for shareholders in merger-related litigation in Tennessee history and one of the largest in U.S history.

• *In re Corrections Corporation of America Shareholder Litigation*, Civ. No. 98-1257-III (Davidson Cty. Chancery Ct.) (Lyle, C). The firm served as a member of Plaintiffs' Executive Committee in a class action brought on behalf of former Corrections Corporation of America shareholders alleging breach of fiduciary duty in connection with the merger between Corrections Corporation

of America and Prison Realty Trust. The case resulted in a settlement with a value of \$32 million to the Plaintiff class.

• ***In re Goody's Family Clothing, Inc. Shareholder Litigation.***, Master Docket No. 165357-2 (Chancery Ct., Knox Cty., Tenn.) (Fansler, C.). The firm was appointed sole lead counsel by the court in this action which was brought on behalf of Goody's Family Clothing, Inc. ("Goody's") shareholders for breach of fiduciary duties over the proposed sale of the company for an initial price of \$8 per share. After multiple hearings on motions for injunctive relief and after plaintiffs' counsel had interacted with potential buyers of Goody's, Goody's shareholders received a nearly \$53 million increase over the initial offer.

• ***In re HCA Inc. S'holder Litig.***, No. 06-1816 III (Davidson County Ch. Ct., Tenn.) (Lyle, C.) The firm served as Co-Lead Counsel in this action brought on behalf of HCA Inc. shareholders in connection with, at the time, the largest leveraged buyout in U.S. history. The case resulted in a significant settlement which included a modification to the Merger Agreement to provide for a \$280 million reduction in termination fee, supplemental material disclosures to shareholders including material information with respect to the true value of the company, and significant improvements to voting process including enhanced appraisal rights and a "majority of the minority" provision.

• ***Denver Area Meat Cutters and Employers Pension Plan v. James L. Clayton, et. al.***, Case No. E-19723 (Cir. Ct., Blount Cty., Equity Div., Tenn.) (Young, C.). The firm served as Co-Lead Counsel in this action brought on behalf of shareholders of Clayton Homes alleging breaches of fiduciary duties against the company's board of directors in connection with the sale of the company to Berkshire Hathaway. The case resulted in \$5 million settlement for the class.

• ***City of Pompano Beach Police and Firefighters' Retirement System v. HealthSpring, Inc.***, Case No. 40333 (Williamson County Ch. Ct., Tenn.) (Martin, C). The firm served as Co-Lead Counsel in this action brought on behalf of shareholders of HealthSpring, Inc. alleging breaches of fiduciary duties against the company's board of directors, among others, in connection with the sale of the company to Cigna Corporation. The case resulted in a settlement in which material disclosures were obtained for the class before the shareholder vote.

• ***In re Vanguard Health Systems, Inc. S'holder Litig.***, (Davidson County Ch. Ct., Tenn) (Perkins, C.) The firm served as Co-Lead Counsel in this action brought on behalf of shareholders of Vanguard Health Systems, Inc. alleging breaches of fiduciary duties against the company's board of directors, among others, in connection with the sale of the company to Tenet Healthcare Corporation. The case resulted in a settlement in which material disclosures were obtained for the class before the

shareholder vote.

OTHER

• *Craft v. Vanderbilt University, et al.*, Civ. No. 3-94-0090 (M.D. Tenn.) (Nixon, J.). The firm served as co-counsel in a class action brought against Vanderbilt University, its medical center and others in connection with 1940s experiment in which pregnant women unknowingly ingested radioactive iron isotopes. The case resulted in a settlement of \$10 million. In certifying this extremely complex case as a class action, the Court specifically found plaintiffs' counsel to be adequate as they had "previously handled complex class

action cases." *See Craft v. Vanderbilt*, 174 F.R.D. 396, 406 (M.D. Tenn. 1996).

• *Heilman v. Perfection Corporation, et al.*, Civ. No. 99-0679-CW-W-6 (W.D. Mo.). The firm served as one of Plaintiffs' counsel in a nation-wide class action composed of all persons throughout the United States who own or purchased a hot water heater manufactured by defendants with a defective Dip Tube. The case resulted in a multi-million dollar nation-wide settlement.

ATTORNEYS

Below is a biography of each attorney in the office who focuses their practice of class action litigation.

DOUGLAS S. JOHNSTON, JR.

DOUGLAS S. JOHNSTON, JR., is certified as a Civil Trial Specialist by the Tennessee Commission on Continuing Legal Education & Specialization and certified in Civil Trial Advocacy by the National Board of Trial Advocacy. He was admitted to the Tennessee bar in 1977; admitted to practice before the U.S. District Court, Middle District of Tennessee in 1978; and admitted to practice before the U.S. Supreme Court in 1985. Mr. Johnston received a J.D. degree from the Nashville School of Law in 1977, and an A.B. degree from Kenyon College in 1969.

For the last several years, Mr. Johnston has concentrated a significant part his practice in the area of class action litigation, with a particular emphasis on securities and consumer fraud litigation. Mr. Johnston currently serves as Co-Lead Counsel, Liaison Counsel, Co-Counsel, or is on the Executive Committee of class lawyers in multiple pending class actions throughout Tennessee and across the country. Examples of recent class actions in which Mr. Johnston played a significant role in achieving a substantial settlement include:

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- *In re Dollar General Corp. Securities Litigation*, Case No. 3:01-0388 (M.D. Tenn.) (Wiseman, J.) (\$162 million recovery).
- *In re Prison Realty Securities Litigation*, Civ. No. 3-99-0452 (M.D. Tenn.) (Campbell, J.) (\$107 million recovery).
- *In re Global Crossing Ltd. Securities & ERISA Litigation*, MDL Docket No. 1472 (S.D.N.Y.) (Lynch, J.) (\$79 million recovery).
- *Morse v. McWhorter et al.*, Civ. No. 3-97-0370 (M.D. Tenn.) (Higgins, J.) (\$51.25 million recovery).
- *In re Goody's Family Clothing, Inc. Shareholder Litigation.*, Master Docket No. 165357-2 (Chancery Ct., Knox Cty., Tenn.) (Fansler, C.) (\$53 million increase in consideration to shareholders in merger).
- *In re Dollar General Corp. S'holders Litig.*, No. 07MD-1 (Davidson County 6th Cir. Ct., Tenn.) (\$40 million recovery).
- *Sherwood v. Microsoft Corporation*, Civ. No 99-C-3562 (Davidson Cty. Circuit Ct.) (Kurtz, J.) (settlement with minimal value of \$32 million including sizable *cy pres* award to Tennessee schools).
- *Beach et al. v. Healthways, et al.*, Civil Action No. 3:08-00569 (M.D. Tenn. (Campbell, J.) (\$23.6 million recovery).
- *In Re Juniper Networks, Inc. Derivative Litigation*, Lead Case No. 1:06CV064294 (Sup. Ct. Santa Clara, CA) (substantive corporate governance reforms and a contribution of more than \$22 million in stock options to the company from four executives and directors of the board).
- *In re Direct General Corporation Securities Litigation*, Civil Action No. 3:05-0077 (M.D. Tenn. (Campbell, J.) (\$14.96 million recovery including \$2.96 million recovered from the individual defendants).
- *In re America Service Group Litigation*, Civ. No. 3:06-cv-00323 (M.D. Tenn.) (Haynes, J.) (\$14.894 million recovery).
- *In re Envoy Securities Litigation*, Civ. No. 3-98-0760 (M.D. Tenn.) (Haynes, J.) (\$11 million recovery).

- *In re Broadwing, Inc. ERISA Litigation*, Case No. C-1-02-857 (S.D. Ohio) (Beckwith, J.) (\$11 million recovery).
- *Craft v. Vanderbilt University, et al.* Civ. No. 3-94-0090 (M.D. Tenn.) (Nixon, J.) (\$10 million recovery).
- *In re Corrections Corporation of America Shareholder Litigation*, Civ. No. 98-1257-III (Davidson. Cty. Chancery Ct.) (Lyle, C.) (settlement with value of \$32 million).
- *In re HCA Inc. S'holder Litig.*, No. 06-1816 III (Davidson County Ch. Ct., Tenn.) (Lyle, C.) (settlement which included a modification to the Merger Agreement to provide for a \$280 million reduction in termination fee, supplemental material disclosures to shareholders including material information with respect to the true value of the company, and significant improvements to voting process including enhanced appraisal rights and a “majority of the minority” provision).
- *City Of Westland Police and Fire Retirement System, Derivatively on Behalf of Wells Fargo & Company v. John G. Stumpf, et al.*, No. 3:11-cv-02369-SI (N.D. Cal.) (Ilston, J.) (settlement which secured significant governance reforms and corporate initiatives, including \$36.5 million in funding for homeownership down-payment assistance in communities affected by the financial crisis and high foreclosure rates).

He served as Assistant District Attorney General, Nashville, 1977-1981; Administrative Assistant/Legal Counsel, U.S. Rep. Bill Boner, 1982-1987; Associate Staff, Committee on Appropriations, U.S. House of Representatives, 1985-1987; Legislative Counsel, Metropolitan Government Nashville/Davidson Co., TN., 1988. Mr. Johnston is a member of the Nashville, Tennessee, and American Bar Associations; The American Association for Justice; Tennessee Association for Justice; and the National Employment Lawyers Association.

JERRY E. MARTIN

JERRY E. MARTIN served as the presidentially appointed United States Attorney for the Middle District of Tennessee from May 2010 to April 2013. As U.S. Attorney, he made prosecuting financial, tax and health care fraud a top priority. During his tenure, Mr. Martin co-chaired the Attorney General’s Advisory Committee’s Health Care Fraud Working Group.

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Mr. Martin specializes in representing individuals who wish to blow the whistle to expose fraud and abuse committed by federal contractors, health care providers, tax cheats or those who violate the securities laws.

Mr. Martin has been recognized as a national leader in combatting fraud and has addressed numerous groups and associations such as Taxpayers Against Fraud and the National Association of Attorney Generals. In 2012, Mr. Martin was the keynote speaker at the American Bar Association's Annual Health Care Fraud Conference.

Mr. Martin graduated with honors from Dartmouth College in 1996 and received his law degree in 1999 from Stanford University.

TIMOTHY L. MILES

TIMOTHY L. MILES received a Bachelor of Science in Psychology from Belmont University in Nashville, Tennessee in 1993 and his J.D. from the Nashville School of Law in May 2001, graduating third in his class, and was made a member of the Honorable Society of Cooper's Inn which is reserved for students graduating in the top ten percent of their class. He is admitted to practice before the Tennessee Supreme Court; the United States District Court for the Western, Middle and Eastern Districts of Tennessee and the District of Colorado; and the Sixth Circuit Court of Appeals. He is a member of the Nashville Bar Association; American Trial Lawyers Association; and Harry Phillips American Inns of Court (Student Member 2000).

Mr. Miles has an AV® Preeminent™ Rating by Martindale-Hubbe® in Securities Law, Litigation and Class Actions, the highest rating given by Martindale-Hubbe®. According to their ratings explanation, "AV Preeminent® is a significant rating accomplishment - a testament to the fact that a lawyer's peers rank him or her at the highest level of professional excellence."

Mr. Miles focuses his practice on class action litigation, including cases involving violations of federal securities law, ERISA, federal and state antitrust law, state consumer protection, employment discrimination, products liability and shareholder derivative litigation and cases involving breaches of fiduciary duty in transactional litigation in connection with the merger or acquisitions of public corporations. Examples of recent class actions in which Mr. Miles played a significant role in achieving a substantial settlement include:

- *In re Global Crossing Ltd. Securities & ERISA Litigation*, MDL Docket No. 1472 (S.D.N.Y.) (Lynch, J.) (\$79 million recovery).

- *In re Goody's Family Clothing, Inc. Shareholder Litigation*, Master Docket No. 165357-2 (Chancery Ct., Knox Cty., Tenn.) (Fansler, C.) (\$53 million increase in consideration to shareholders in merger).
- *In re Dollar General Corp. S'holders Litig.*, No. 07MD-1 (Davidson County 6th Cir. Ct., Tenn.) (\$40 million recovery).
- *Sherwood v. Microsoft Corporation*, Civ. No 99-C-3562 (Davidson Cty. Circuit Ct.) (Kurtz, J.) (settlement with minimal value of \$32 million including sizable *cy pres* award to Tennessee schools).
- *Beach et al. v. Healthways, et al.*, Civil Action No. 3:08-00569 (M.D. Tenn. (Campbell, J.) (\$23.6 million recovery).
- *In Re Juniper Networks, Inc. Derivative Litigation*, Lead Case No. 1:06CV064294 (Sup. Ct. Santa Clara, CA) (substantive corporate governance reforms and a contribution of more than \$22 million in stock options to the company from four executives and directors of the board).
- *In re Direct General Corporation Securities Litigation*, Civil Action No. 3:05-0077 (M.D. Tenn. (Campbell, J.) (\$14.96 million recovery including \$2.96 million recovered from the individual defendants).
- *In re America Service Group Litigation*, Civ. No. 3:06-cv-00323 (M.D. Tenn.) (Haynes, J.) (\$14.894 million recovery).
- *In re Envoy Securities Litigation*, Civ. No. 3-98-0760 (M.D. Tenn.) (Haynes, J.) (\$11 million recovery).
- *In re Broadwing, Inc. ERISA Litigation*, Case No. C-1-02-857 (S.D. Ohio) (Beckwith, J.) (\$11 million recovery).
- *In re HCA Inc. S'holder Litig.*, No. 06-1816 III (Davidson County Ch. Ct., Tenn.) (Lyle, C.) (settlement which included a modification to the Merger Agreement to provide for a \$280 million reduction in termination fee, supplemental material disclosures to shareholders including material information with respect to the true value of the company, and significant improvements to voting process including enhanced appraisal rights and a "majority of the minority" provision).
- *City Of Westland Police and Fire Retirement System, Derivatively on Behalf of Wells Fargo & Company v. John G. Stumpf, et al.*, No. 3:11-cv-02369-SI (N.D.

Cal.) (Ilston, J.) (settlement which secured significant governance reforms and corporate initiatives, including \$36.5 million in funding for homeownership down-payment assistance in communities affected by the financial crisis and high foreclosure rates).

Mr. Miles is currently serving as class counsel in numerous complex class and derivative actions pending in federal and state courts across the country.

DAVID W. GARRISON

DAVID W. GARRISON focuses his practice on complex civil litigation, including class and collective action litigation, in federal and state courts throughout the country. A significant part of Mr. Garrison's practices is representing employees, including whistleblowers in *qui tam* litigation who have uncovered fraud, workers involved in pay disputes, executives in severance negotiations, and employees who have suffered discrimination. Mr. Garrison is also engaged in the firm's securities, healthcare, and consumer class action practice, representing pension funds, health and welfare funds, and consumers in litigation throughout the country.

Mr. Garrison has extensive experience in representing employees whose fundamental rights have been violated by their employer. He has served as lead counsel in collective actions brought under the Fair Labor Standards Act (FLSA) that have resulted in settlements requiring the payment of millions of dollars to workers who were underpaid by their employer. Those cases involve claims by employees who have been improperly denied overtime, forced to work off-the-clock, or have been improperly designated as "exempt" from overtime laws by their employer.

Additionally, Mr. Garrison represents whistleblowers in *qui tam* litigation brought under the federal False Claims Act and similar state statutes. Mr. Garrison is especially focused on representing whistleblowers in the healthcare industry who have uncovered fraud against Medicare or Medicaid (TennCare), including whistleblowers in the hospital, pharmaceutical, and hospice care industries. In addition to healthcare fraud, Mr. Garrison represents whistleblowers who have uncovered fraud against for-profit education institutions and the defense industry.

Mr. Garrison also maintains an active labor law practice. He serves as counsel to labor unions in arbitration, before the National Labor Relations Board, and in state and federal court. Mr. Garrison has litigated dozens of successful arbitrations on behalf of the firm's union clients, involving wrongful discharge, health and welfare contribution disputes, and promotion and demotion issues.

Mr. Garrison received his Bachelor of Arts degree from DePauw University, and received his Juris Doctor from Valparaiso University School of Law, where he served in the Moot Court Honor Society. During his third year of law school, he attended Vanderbilt Law School. Mr. Garrison is a member of the American, Tennessee, and Nashville Bar Associations, and the National Employment Lawyers Association. Mr. Garrison is also a member of Taxpayers

Against Fraud (TAF). He served as an associate member of the Harry Phillips Chapter of the American Inn of Court and is currently a member of the AFL-CIO Lawyers Coordinating Committee. From 2001 – 2004, Dave served on the DePauw University Board of Trustees.

SCOTT P. TIFT

SCOTT P. TIFT practices complex civil litigation, representing employees, consumers, and shareholders in class and collective actions throughout the country. In addition, he handles wage and hour litigation and other labor and employment law matters for employees, labor unions, and small businesses.

Before joining Barrett Johnston Martin & Garrison, LLC, Scott practiced general litigation at Bass, Berry & Sims, with a focus on real estate litigation. While at Bass, Berry & Sims, Scott conducted multiple trials and arbitrations, including a successful FINRA arbitration on behalf of defrauded investors and a multi-day federal jury trial.

Scott is actively involved in the Middle Tennessee community. He has served as the President of the Nashville Lawyers' Chapter of the American Constitution Society, and he is currently serving as the Secretary of the Conexión Américas Board of Directors. Scott has also served as an associate member of the Harry Phillips American Inn of Court. Scott is a member of the Nashville, Tennessee, and American Bar Associations.

Prior to practicing law, Scott worked on President Bill Clinton's scheduling and advance staff, where he assisted in the coordination of Mr. Clinton's schedule and staffed Mr. Clinton at events around the country and abroad. In 2003, Scott also served as a regional field director for Howard Dean's presidential campaign.

Scott graduated summa cum laude with a Bachelor of Arts from Columbia University. Scott received his Juris Doctorate from Vanderbilt University, where he was elected to the Order of the Coif and where he served as the President of the Legal Aid Society, as a member of the Moot Court Board, as a member of the Trial Advocacy Society, and as the Vice President of the Ambassadors program. Upon graduation, Scott received the Philip G. Davidson III Memorial Award and the Junius L. Allison Legal Aid Award.

SETH HYATT

SETH HYATT focuses his practice on complex civil litigation — particularly Fair Labor Standards Act and False Claims Act cases. He also handles a wide array of labor and employment matters on behalf of employees and labor unions.

At Barrett Johnston Martin & Garrison, LLC, Mr. Hyatt has devoted a significant amount of time to voting rights cases, including challenges to the State of Tennessee's improper purging of registered voters, and challenges to Tennessee's photo ID requirement for voting.

Prior to joining Barrett Johnston Martin & Garrison, LLC, Mr. Hyatt served as a legal intern to United States Magistrate Judge John Bryant of the Middle District of Tennessee.

Mr. Hyatt graduated *summa cum laude* with a Bachelor of Arts from Carleton College, and he received his Juris Doctorate from Vanderbilt University. While at Vanderbilt, Mr. Hyatt served as a managing editor of the VANDERBILT LAW REVIEW. His student note, addressing the practical and moral uncertainties of text message surveillance by law enforcement officers, was published by the Law Review in the spring of 2011. See Seth M. Hyatt, Note, *Text Offenders: Privacy, Text Messages, and the Failure of the Title III Minimization Requirement*, 64 VAND. L. REV. 1347 (2011).

REPORTED DECISIONS

The firm has been counsel for several important reported decisions in class action litigation, particularly in Tennessee and the Sixth Circuit, some of which are listed below:

Schuh v. HCA Holdings, Inc.,
947 F. Supp. 2d 882 (M.D. Tenn. 2013)

N. Port Firefighters' Pension-Local Option Plan v. Fushi Copperweld, Inc.,
929 F. Supp. 2d 740 (M.D. Tenn. 2013)

Woods v. RHA/Tennessee Group Homes, Inc.,
803 F. Supp. 2d 789 (M.D. Tenn. 2011)

Beach v. Healthways, Inc.,
264 F.R.D. 360 (M.D. Tenn. 2010)

Johnson v. Koch Foods, Inc.,
670 F. Supp. 2d 657 (E.D. Tenn. 2009)

Nat'l Ass'n of Chain Drug Stores v. New England Carps. Health Benefits Fund,
582 F.3d 30 (1st Cir. 2009)

New England Carpenters Health Benefits Fund v. First DataBank, Inc.,
248 F.R.D. 363 (D. Mass. 2008)

Wike v. Vertrue, Inc.,
566 F.3d 590 (6th Cir. 2009)

Johnson v. Koch Foods, Inc.,
670 F. Supp. 2d 657 (E.D. Tenn. 2009)

Johnson v. Koch Foods, Inc.,
657 F. Supp. 2d 951 (E.D. Tenn. 2009)

In re Biopure Corporation Derivative Litig.,
424 F.Supp.2d 305 (D. Mass. 2006)

Haag v. Webster,
434 F. Supp. 2d 732 (W.D. Mo. 2006)

In re Broadwing, Inc. ERISA Litig.,
252 F.R.D. 369 (S.D. Ohio 2006)

Geier v. Bredesen,
453 F. Supp. 2d 1017 (M.D. Tenn. 2006)

In re Bridgestone Sec. Litig.,
430 F. Supp. 2d 728 (M.D. Tenn. 2006)

City of Monroe Emples. Ret. Sys. v. Bridgestone Corp.,
399 F.3d 651 (6th Cir. 2005)

In re Unumprovident Corp. Sec. Litig.,
396 F. Supp. 2d 858 (E.D. Tenn. 2005)

In re Direct Gen. Corp. Sec. Litig.,
398 F. Supp. 2d 888 (M.D. Tenn. 2005)

Raines v. Howard,
227 F.R.D.1 (D.D.C. 2005)

In re AFC Enterprises Inc. Derivative Litig.,
224 F.R.D. 515 (N.D. Ga. 2004)

In re Xcel Energy, Inc., Securities, Derivative & "ERISA" Litigation,
312 F.Supp.2d 1165 (D. Minn. 2004)

Geier v. Sundquist,
372 F.3d 784 (6th Cir. 2004)

Castillo v. Envoy Corp.,
206 F.R.D.464 (M.D. Tenn. 2002)

In re Envoy Securities Litigation,
133 F.Supp.2d 647 (M.D. Tenn. 2001)

Strategic Assets, Inc. v. Fed. Express Corp.,
190 F. Supp. 2d 1065 (M.D. Tenn. 2001)

Geier v. Sundquist,
128 F.Supp.2d (M.D. Tenn. 2001)

Sherwood v. Microsoft,
91 F.Supp.2d 1196 (M.D. Tenn. 2000)

In re Prison Realty Securities Litigation,
117 F.Supp.2d 681 (M.D. Tenn. 2000)

Katt v. Titan Acquisitions,
133 F.Supp.2d 632 (M.D. Tenn. 2000)

In re Sirrom Capital Corp. Securities Litigation,
84 F.Supp.2d 933 (M.D. Tenn. 1999)

Craft v. Vanderbilt,
18 F.Supp.2d 786 (M.D. Tenn. 1999)

Craft v. Vanderbilt,
940 F.Supp.1185 (M.D. Tenn. 1996)

Craft v. Vanderbilt
174 F.R.D. 396 (M.D. Tenn. 1996)

United Rubber, Cork Linoleum & Plastic Workers of America,

AFL-CIO, CLC v. Pirelli Armstrong Tire Corporation,
873 F.Supp. 1093 (M.D. Tenn. 1994)

Geier v. Alexander,
801 F.2d 799 (6th Cir. 1986)

Hutcheson v. Tennessee Valley Authority,
604 F.Supp. 543 (M.D. 1985)

Geier v. Alexander
593 F.Supp. 1263 (M.D. Tenn. 1984)

Brown v. Alexander,
718 F.2d 1417 (6th Cir. 1983)

Brown v. Alexander
516 F.Supp. 607 (M.D. Tenn. 1981)

Geier v. Alexander,
597 F.2d 1056 (6th Cir. 1979)

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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2014, a copy of the foregoing *Declaration of David W. Garrison* was filed electronically with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to the counsel of record listed below.

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/s/ David W. Garrison
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